

MEMO ENDORSED

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The settlement conference is adjourned sine die. The parties shall write to the Court as soon as they are prepared to proceed with such a conference.

VIA ECF

The Honorable Gabriel W. Gorenstein
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

SO ORDERED: DATE: 3/10/15

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

Re: Knowledge Delivery Systems, Inc. v. Kimberly Harris, et al., 14 Civ. 7964
(JGK)(GWG)

Dear Judge Gorenstein:

We represent the plaintiff Knowledge Delivery Systems, Inc. in the above-captioned case. On March 2, 2015 the Court issued an Order, scheduling a settlement conference for April 1, 2015 at 2:30 p.m. The purpose of this letter is to request an adjournment *sine die* for two reasons.

First, there is a pending motion in this action by an entity and two individuals who seek to intervene. The Court has not yet ruled on the application, but plaintiff did not oppose it. Thus, it may well be that there will be three additional parties in the case whose participation in a settlement conference would be necessary.

Second, there is a need for discovery to make the conference more fruitful. Within a week the parties now in the case plan to exchange documents. Until documents have been exchanged and reviewed, and the parties have had the opportunity to pursue follow-up discovery, if necessary, this case is unlikely to settle.

I have consulted with Michael Warner, counsel for the defendants. He has no objection to the requested adjournment. Furthermore, we have agreed to consult with each other as discovery proceeds to determine the optimum time for the settlement conference.

Respectfully submitted,

Nathaniel H. Akerman